

## **RESOLUTION 1774**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HURST, TEXAS, ORDERING THE GENERAL ELECTION OFFICERS, POSTPONED FROM THE MAY 2, 2020 UNIFORM ELECTION DATE, TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; AUTHORIZING A JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH THE TARRANT COUNTY ELECTIONS ADMINISTRATOR; AND ESTABLISHING A DATE FOR A RUNOFF ELECTION, IF NECESSARY**

**WHEREAS,** on January 14, 2020 the City Council passed Resolution 1758 ordering the May 2, 2020 General Election of Officers; authorized a joint election agreement and contract for election services with the Tarrant County Elections Administrator; and established a date for a runoff election, if necessary; and

**WHEREAS,** on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor, declared a state of disaster for all counties in Texas; and

**WHEREAS,** the Governor of Texas issued a proclamation filed in the office of the Secretary of State, March 18, 2020, suspending Sections 41.0052(a) and (b) of the Texas Election Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office; and

**WHEREAS,** on March 24, 2020, the City Council passed Resolution 1764 postponing the May 2, 2020 General Election to the November 3, 2020, uniform election day or to an earlier date if authorized by the Governor of the State of Texas and the Texas Secretary of State; and

**WHEREAS,** the City of Hurst City Council declares it in the best interests of the health, safety, and welfare of the public to adopt this Resolution and order the November 3, 2020 uniform election date; and

**WHEREAS,** all prerequisites for the adoption of this Resolution have been met, including but not limited to the Open Meetings Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS:**

- Section 1: **THAT** unless one or more of the entities qualify under provisions of the Texas Election Code to cancel their election, the City of Hurst shall hold a joint election, per the aforesaid joint election agreement and contract for election services, on Tuesday, November 3, 2020, for the purpose of electing members of the Hurst City Council.
- Section 2: **THAT** an election is hereby ordered to elect persons to the offices of City Council Places 3 (Mayor), 4, 5, and 7 to serve until May of 2022 or until their successors are duly elected and qualified. Such election shall be on the 3<sup>rd</sup> day of November 2020 from 7:00 a.m. until 7:00 p.m. The locations of polling locations for this election are designated pursuant to the Texas Election Code as those precincts designated by Tarrant County.
- Section 4: **THAT** the candidate filings for the May 2, 2020 General Election will remain valid for the November 3, 2020 election and the filing period will not be re-opened for the postponed election.
- Section 5: **THAT** applications previously received for the May 2, 2020 General Election for Ballot By Mail for voters voting by mail due to being over the age of 65 or due to disability will be valid for the November 3, 2020 election.
- Section 6: **THAT** applications previously received for the May 2, 2020 General Election for Ballot By Mail for voters who submitted Applications for Ballot By Mail based on expected absence from the county will not be valid for the November 3, 2020 election.
- Section 7: **THAT** Heider Garcia (or his successor), Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, is hereby appointed as Early Voting Clerk and may appoint additional deputy early voting clerks as necessary to properly conduct the Election. Applications for ballot by mail must be received by mail no later than the close of business on October 23, 2020 (Mailing Address: P.O. Box 961011, Fort Worth, Texas, 76161-0011; Attention: Heider Garcia, Early Voting Clerk)
- Section 8: **THAT** early voting by personal appearance shall be conducted at the County's Main Early Voting location: 2700 Premier Street, Fort Worth, Texas 76111. Branch locations for early voting by personal appearance shall also be established as outlined in the election agreement with Tarrant County Elections Administrator. Tarrant County Elections Administration will provide a final listing of all available branch sites at a future date, and Hurst residents may vote at any early voting site in Tarrant County during the early voting by personal appearance process.

Early voting by personal appearance will begin on October 13, 2020, and will end on October 30, 2020, and the hours designated for early voting by personal appearance shall be as set forth below:

October 13 - 17	Tuesday – Saturday	8:00 a.m. – 5:00 p.m.
October 19 - 23	Monday - Friday	8:00 a.m. – 5:00 p.m.
October 24	Saturday	7:00 a.m. – 7:00 p.m.
October 25	Sunday	11:00 a.m. – 4:00 p.m.
October 26 – 30	Monday – Friday	7:00 a.m. – 7:00 p.m.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board shall be appointed and designated in accordance with the provisions of the election agreement with the Tarrant County Elections Administrator.

Section 9: **THAT** all resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors may vote at any countywide polling place(s) designated by Tarrant County. This election shall be held and conducted in accordance with the aforesaid election agreement, and the election laws of the State of Texas.

Section 10: **THAT** combined ballots may be utilized containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. The County's voting equipment will be utilized for this election.

Section 11: **THAT** the election officers for each polling place shall be appointed in accordance with the provisions of the election agreement for the conducting of the election on the aforesaid election date with Tarrant County, Texas.

Section 12: **THAT** the Mayor is hereby authorized to execute aforesaid election agreement for and on behalf of the City.

Section 13: **THAT** the expenses of the joint election shall be borne as outlined in the election agreement with the Tarrant County Election Administrator.

Section 14: **THAT** any runoff election required for the election of members of the City Council of the City of Hurst, Texas, ensuing from the General Election of November 3, 2020, shall be held on December 8, 2020, or as designated by the joint election agreement and contract and in accordance with the election code.

**AND IT IS SO RESOLVED.**

Passed by a vote of 6 to 0 this the 11<sup>th</sup> day of August 2020.

**ATTEST:**

**CITY OF HURST**

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Rita Frick, City Secretary

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Henry Wilson, Mayor

**Approved as to form and legality:**

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City Attorney